

Atty. Dkt. No. 084335-0131

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kazuo NAGAI *et al.*  
Title: NOVEL GENE  
Appln. No.: 09/786,474  
Filed: March 5, 2001  
Examiner: Gabriele E. BUGAISKY  
Art Unit: 1653

**AMENDMENT & REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This communication responds to a non-final office action dated November 19, 2002, concerning the above-referenced patent application. By virtue of the accompanying petition and payment of extension fees, the present deadline for response is May 19, 2003. While no other fees are believed due, the PTO is authorized to invoice account No. 190741 for any charges deemed necessary.

Please amend the application as follows:

**IN THE CLAIMS:**

Please cancel claims 42 and 43 without prejudice.

Please amend the following claims:

1. (Twice Amended) An isolated DNA encoding (a) a protein which comprises the amino acid sequence of SEQ ID NO: 2, or (b) a protein which comprises an amino acid sequence, wherein one or more amino acids are deleted, substituted, or added in the amino acid sequence of SEQ ID NO: 2, and confers an ability to grow in a medium containing 1% polypeptone, 0.5% yeast extract, 0.5% sodium chloride, 0.1% glucose, 20 µg/ml thiamine and 100 µg/ml lysozyme to a microorganism belonging to *Corynebacterium glutamicum*,